

APPROVED: Meeting No. 12-96

ATTEST: *Paula Jewell*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
Meeting No. 07-96

February 26, 1996

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on February 26, 1996, at 7:30 p.m.

PRESENT

Mayor Rose G. Krasnow

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

Councilmember Glennon J. Harrison

ABSENT

Councilmember Robert J. Wright  
(Due to Family Illness)

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Re: City Manager's Report

1. The fourth Rockville Day in Annapolis will take place on February 29 with the Mayor and Council, along with representatives from the community, hosting our State Delegation in Annapolis to discuss legislation and funding. These events have proven to be very successful and resulted in the passage of important legislation and needed state funding for many projects. This year's event will focus on funding for the Frederick Avenue Bridge, F. Scott Fitzgerald Theatre and Glenview Mansion projects.

2. In an effort to maintain formal contact with local businesses, the Mayor and Council along with the Economic Development Council, convene quarterly focus group meetings. Discussions include the state of the retail market, the snow removal policy, the inspection and permit process, traffic congestion on Rockville Pike, and the City's sign ordinance and landscape regulations. The Mayor and Council along with the Chamber of Commerce also conduct quarterly business site visits. On February 15, the City visited Aspen Systems Corporation, an information management and professional services firm, which employs over 800 persons in Montgomery County.

3. Walking Town Meetings, a new Mayor and Council initiative, will begin on March 16 with a visit to the Twinbrook neighborhood to discuss neighborhood issues and opportunities with the residents first hand.

4. The Council of Governments recently recognized the City's Intergenerational Senior Youth Advocacy Inner Vision Program as an exemplary program in preventing substance abuse. The program, coordinated by the Community Services Department, teams senior citizens with at-risk teenage girls to provide support, encouragement and education.

5. On February 24, the Mayor and Council and staff participated in the celebration of Lincoln Park's 105th anniversary in a very successful program entitled "History In the Park Comes Alive As Youth Struggle For Freedom To Survive." The program will be aired on Montgomery Community Television.

6. Mr. Kuckkahn introduced Bob Goodin, the City's Director of Public Works who is retiring on March 1st after 16 years of service with the City. Mr. Goodin oversaw

many City services such as roads, bridges, utility maintenance, snow removal and leaf collection, and engineering services. Mr. Kuckkahn thanked Mr. Goodin for his unfailing professionalism and friendship over the years. Mr. Goodin then offered parting words of wisdom on the eve of his retirement from the City.

Councilmember Marrinan thanked Mr. Goodin on behalf of Rockville citizens. He said that his professionalism, responsive and the general decor in the work he had done for the City had been outstanding. Mayor Krasnow remarked that Mr. Goodin had been a joy to work with and she wished him the best in his retirement.

Re: Presentation of oil painting of  
Judge Bowie.

Theatre/Civic Center Supervisor Lew Dronenburg displayed the painting of Judge Richard Johns Bowie who built Glenview Mansion in 1838. Judge Bowie was a prominent local attorney who also served as State Senator and a Chief Judge of the Maryland Court of Appeals. The painting was donated to the City on January 24, 1996, by Jack B. and Joan M. Watterson, former Rockville residents, now residing in Melbourne, Florida. The assessed value of the painting is \$9,500 and it will be hung in the Glenview Mansion.

Re: Demonstration of the City's new  
"Home Page."

Mr. Kuckkahn announced that the City developed a "home page" to display on the World Wide Web. It will be officially on-line March 1st. The home page is in addition to the Electronic Bulletin Board which has been in operation for the past year. Anyone with a computer and a modem will be able to access the home page and

eventually, anyone in the world will be able to access it. Rockville's Senior Analyst/Programmer Tom DeGeorge of the Data Processing Division, demonstrated the features of the home page.

Councilmember Harrison congratulated staff on the excellent job in constructing the Web Page; he said that he was sure that the web site would evolve rapidly. Mr. Harrison said that the initiative was originally discussed during the election and to have the Web Page up and running just a few short months later was impressive. Mayor Krasnow suggested that the City should have a link to the Peerless Rockville page which was also on the Web. She said that she was impressed that staff was able to construct the Web Page in-house. Mayor Krasnow also said that the project was viewed as a first-step, and as it grew, it would become another budget item; however the City was starting out gradually to see what the level of interest would be on a daily basis. Ms. Krasnow said she hoped to see a new icon developed which would allow residents to see the types of events and meetings that are being held by the City.

Councilmember Dorsey thanked the Capital PC-Users Group and Capaccess System, and he noted that the City's Public Information Officer Don Vandrey had Rockville on-line as part of these systems for the past two years.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Gerald Addicott, President, Chadsberry Home Owners Association noted the presence of the Chadsberry Board of Directors who, he said, felt strongly that the Montrose Park Storm Water Management (SWM) Facility should not be built because (1)

there were potentially upstream and downstream alternatives which had not been fully explored; (2) there were safety issues which must be addressed; and (3) there would be a loss of mature, woodland trees. Mr. Addicott said the Montrose Woods project was inconsistent with the City's Master Plan to preserve existing forested areas. Mr. Addicott shared photos of a herd of deer grazing in the area where the proposed storm water facility would be built.

2. Michael Gustine, Resident in the Montrose Subdivision said that he had the full support of Charlotte Joseph, President of the Montrose Civic Association and the Montrose community strongly opposed the building of the proposed facility as it adversely affected the neighborhood by creating an eyesore and it did not achieve the stated goals of the Cabin John Watershed Management Study. Mr. Gustine thanked members of the Mayor and Council who took time to speak to him over the weekend about his concerns.

3. Alan Penn, (Resident for 28 years) urged the Mayor and Council to proceed with the Pike's Peek Road Race. He said that the race would be a great event for the entire community.

4. Rick Penn, Math Instructor, Montgomery College also expressed his and the general public's support for the race. He said that he used the race as an opportunity for his students to graph out a mathematical problem, and the race generated a great deal of interest from his students.

5. Barbara Nolte said that the ground in the area of the proposed storm water facility stayed moist and she expressed concern about the threat of mosquitoes resulting from the continued presence of low moisture. She added that aesthetically, the dam would

not be attractive to look at.

6. Mr. Berman, Montgomery Sierra Club spoke about the City's recycling contract soon up for renewal. He noted that the cities of Gaithersburg and Takoma Park had programs which included mixed paper recycling which dramatically increased the materials recycled, putting less into the waste stream. In the interest of the environment and for economic reasons, Mr. Berman said that the City should make this an integral specification for bidding out the recycling contract.

7. Scott Feldman, Owner of Giuseppe's Pizza expressed his support for the Road Runners Pike's Peak race, saying that the race would give great exposure to the retailers of Rockville.

8. Paul Love, President, Rockville Chamber of Commerce expressed the Chamber's support for the Pike's Peak race. Mr. Love noted that the Road Runners Club was a member of the Chamber and worked with the City and County on a number of events. He said the businesses were behind the Club and felt that the run would bring business to the City's restaurants and hotels and the Chamber was confident that the City and County could work together to provide an enjoyable event for the runners and spectators. Mr. Love offered the Chamber's suggestion that a committee be formed to plan future races.

9. Dave Thomas, 818 Brice Road asked the Mayor and Council to recall when the City proposed the dam for the Tower Oaks project. He said that a major consideration for revising that plan was the tree and forest destruction that would have occurred. He urged that the Mayor and Council temporarily remove the Montrose facility from the

Cabin John Watershed Plan in order to reconsider other alternatives.

10. Armano Mearra said that he felt many of the consequences to the environment from the proposed storm water management facility were unforeseen at this time, and he encouraged the Mayor and Council to carefully think through the proposal.

11. Lorenzo Ricks, Community Ministries of Rockville (CMR) reported that Reverend Mansfield Kaseman, who was in health maintenance, was doing very well. Mr. Ricks said that CMR was pleased with the smooth transition of the Community Services Department under Police Chief Treschuk, who showed a concern for youth and City issues other than just law enforcement. Mr. Ricks said that with major budget cuts on the State and local level, there would be many in need of care services, and he urged the Mayor and Council's continued commitment to these programs. Regarding the City's home page, Mr. Ricks suggested that a map of the City and a community service area be included as additional features.

12. Bill Wilson, Director, Doug Wilson 5K Race said that the Doug Wilson Race was held each fall. He expressed support for the Pike's Peak race and said that many races generated substantial funds for local charities and other worthy causes.

13. Randy Slovic, 8 Dairyfield Court expressed appreciation to retiring Public Works Director Bob Goodin for his services over the past years. Ms. Slovic said she was pleased to see the City moving forward on the Cabin John Watershed Plan, and while there was controversy with some of the facilities, she felt there were other provisions of the Plan that could go forth. Ms. Slovic said that thought should also be given to storm water management on the King Farm to ensure the most up-to-date storm water

management on the site.

14. William Meyer, 804 Leverton Road urged the Mayor and Council to adopt the Cabin John Watershed Management Plan as a start towards implementing projects that were identified within the Plan with the knowledge that the projects would still have to go through the CIP process before being authorized for funding and construction in later years. Mr. Meyer said he hoped that the Montrose residents would bring forth alternatives to the proposals. Regarding the Pike's Peak race, Mr. Meyer said he still found it difficult to support the race as it was publicly presented. He advised the Mayor and Council to proceed cautiously if they decided to change their minds about endorsing the race, and he suggested that the City encourage the use of available video monitors the County placed at certain intersections so there would a timed recording of the event.

15. Kay Morrison, Resident for 28 years and member of the Montgomery County Road Runners Club said she was disappointed that the Mayor and Council opposed the Pike's Peak Race. She said the Club had been supportive of persons of all ages attempting to improve their health and she urged the Mayor and Council's support for the race.

Re: Approval of Minutes

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the Minutes of Meeting No. 03-96 (January 22, 1996) were approved as written.

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed (Councilmember Marrinan abstained as he was absent from this meeting), the Minutes of Meeting No. 04-96 (January 29, 1996) were approved as written.



Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Minutes of Meeting No. 05-96 (February 5, 1996) were approved as written.

Re: Appointment

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, Howard Eskildson was appointed to serve on the Board of Supervisors of Elections.

Re: Consent Agenda

Mayor Krasnow requested removal of Consent Agenda Item B.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the following item was approved:

- (A) Award of Bid # 6507000087  
(Montgomery County, MD)  
To: Mansfield Oil Company  
Of: Gainsville, Georgia

In the amount of: \$88,268.00

For: The annual cooperative contract  
for regular unleaded gasoline.

- (B) Award of Bid #IFB 6506000015  
(Montgomery County)  
To: Morton Salt Division  
Of: Chicago, IL 60606  
In the amount of: \$34,920

For: Purchase of additional bulk road  
salt because of severe weather  
conditions.

Regarding Item B, Mayor Krasnow said that the Mayor and Council just awarded a bid to purchase 1,000 tons of salt two weeks ago. At that time she inquired

whether staff felt that the purchase would cover the City's needs for the year and staff had responded affirmatively. The Mayor inquired whether the City had used the 1,000 tons so quickly. Mr. Kuckkahn said that 500 tons were delivered in anticipation of the Mayor and Council's approval this evening, and although this was not the way staff conducted business, the decision was made because staff felt that 500 tons was needed immediately and tonight's bid award would authorize the final 500 tons and should end the City's need for additional chemicals this year.

Mayor Krasnow inquired what the impact of the salt was on the environment. Mr. Kuckkahn responded that according to the experts, the quantities of the salt were absorbed by the environment without extreme negative impact. Councilmember Dorsey inquired as to the City's capacity and logic for keeping salt during the off-season. Mr. Kuckkahn said that there would no leftover salt at the end of the winter season and the City would anticipate purchasing salt at the start of next winter's storm because there was a degrading of the material left in storage over the summer months. Mr. Kuckkahn said that staff would prepare a report on what was left in storage. Upon motion of Mayor Krasnow, duly seconded and unanimously passed, the bid for additional bulk road salt was awarded.

Re: Adoption of the Cabin John  
Watershed Management Plan.

Mayor Krasnow pointed out that this was a first step in what would be a long process. The City contracted with the Council of Governments for a study of the Cabin John Watershed, the first of three watershed studies the City had undertaken, and after COG produced their results, City staff worked with those recommendations to

develop the Cabin John Watershed Management Plan. Ms. Krasnow said that since the Plan would be incorporated into the City's CIP process, there would be much opportunity for citizen participation.

Chief Engineer Susan Straus added that for a number of years, the City has sent out many mailings to citizens, conducted two field trips, held two meetings with local communities and three public meetings; all in an effort to obtain as much feedback and input from residents in order to develop a plan that would minimize the amount of impact on local residents while still providing a meaningful, complete plan to provide benefits to the watershed both in the City and in the lower areas of the Potomac River and Chesapeake Bay. To date, one facility was built, Locks Pond Court, because the dam at the facility constructed in the late 1970s was failing.

Ms. Straus also noted that some stream restoration projects were currently under design where immediate action was needed because of severe erosion problems. The Villages at Tower Oaks facility was also planned for construction this summer as part of the residential townhouse community. Ms. Straus said that the Old Farm Branch tributary to Cabin John was the area of the Montrose Woods project residents spoke of this evening, and was an indication of some of the stream erosion occurring in that channel; she said the focus of the project was to minimize the stream erosion. Staff were not able to put in a facility that would maximize pollution removal because they were trying not to impact a lot of trees. A more balanced approach was developed that would still impact trees but would be less of an impact than a wet pond.

Councilmember Dorsey inquired whether there were techniques the

neighbors could undertake to provide an effective monitoring of the erosion of the stream. Ms. Straus said that residents were able to monitor the water quality which, she said, was an indirect indicator of stream erosion.

Councilmember Marrinan asked staff to address two issues raised this evening: alternatives and the actual impact on existing trees. Ms. Straus said she would suggest that the area be surveyed to include a wetland delineation and a tree survey to get an accurate picture of what existed. Using that information, a more detailed alternative analysis would be undertaken in order to perform a benefit analysis of the types of improvements that could be done.

Councilmember Harrison suggested that the Mayor and Council approve the Cabin John Watershed Management Plan as it was written and hold out the Montrose Facility project until such time as a report on what type of alternatives would be available. Mr. Kuckkahn said that there was money in the CIP budget for a more detailed analysis of the tree, wetlands and topography issues, which would give staff the tools to look at other alternatives. He suggested that the Mayor and Council also direct staff to proceed with implementing a study to obtain base information in an effort to look at those alternatives. The Mayor and Council agreed that the City Manager's approach would be good; staff was asked to find a way for citizens in and outside the Montrose area to participate in the study.

Mayor Krasnow noted that the recommendations regarding the removal of fish barriers and the stream restoration areas were projects which were scheduled 2-3 years out; she asked that these be moved up since the benefits could be more immediate.

Ms. Straus said that staff could look at an earlier implementation schedule for the two recommendations.

The Mayor and Council agreed on the following:

- Staff should make sure that all affected residents are notified as the SWM CIP projects come before the Mayor and Council.
- In the description of the Montrose Park project, staff should exclude CIP construction of any dam or facility and amend the language in the project description to provide for a baseline study instead of a dry extended detention pond.
- Staff will be bringing forth recommendations to the Mayor and Council on the other elements of the Plan: updating the City's laws that deal with shifting the focus of SWM control to the smaller, more frequent storm events; pursuing stream monitoring; and conducting a public outreach and education program.

Councilmember Marrinan commented that over the years, City had been very aggressive on environmental issues and it was important to be both fiscally and environmentally responsible. He noted that the cost of the Montrose facility was over \$250,000 dollars and it was a difficult decision for those who were responsible for raising taxes to pay for such projects. Mr. Marrinan said that the issues raised would be addressed; however a plan was needed and would have to be in place, and he said there would be opportunity for continued community input as the issue evolved. Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the Cabin John Watershed Management Plan was adopted, with the modifications noted regarding the Montrose Park facility.

Re: FYI/Correspondence

1. Councilmember Harrison referenced an article in a local newspaper about cars on Middle Lane prevented from making a right turn on a red light onto Rockville Pike. He said he was concerned that if the prohibition was removed, pedestrian safety would be at risk. Mayor Krasnow added that the timing of the light was also an issue that needed to be addressed and she suggested that the City's Traffic Engineer talk to the State and that a letter from the Mayor and Council might be needed.

2. Mayor Krasnow noted receipt of a letter from Claire Funkhauser about handicapped accessibility at the MARC station; Ms. Krasnow said that given the ADA requirements, a letter should be sent to MARC asking them to consider an elevator at the station, which might solve the safety and accessibility problems.

Re: New Business

1. Montgomery County Road Runners Club (MCRRC) Pike's Peek 10K Run - Councilmember Marrinan remarked that the Mayor and Council previously opposed the Club's plan, citing a number of concerns. However, in the past two weeks, the Club had made a good faith effort to address the concerns. Following the Club's meeting with Montgomery County and City police, the format of the race was changed so that City police were made comfortable on the safety issues. In addition, the Club moved the race up to 8 a.m. to significantly reduce the amount of traffic that would be inconvenienced. They contacted all the churches within a half-mile of the race, and all but one church were comfortable with the new time. St. Mary's Church continued to be concerned because of their 7:45 a.m. Mass which will be completed before the race is completely through the

Route 355/Route 28 intersection. The Club agreed to provide extra marshals and police at that intersection to help direct traffic. The Club contacted all 31 of the businesses on Rockville Pike that are open on Sunday morning to inform them about the race and to give them an opportunity to be involved in race events; the Rockville Chamber of Commerce has now endorsed the run. The Club has indicated that they want the race to grow from approximately 3,000 participants to 10-15,000 in future years and Mr. Marrinan said that a race of this size has the potential for a major negative impact as well as the potential for a major positive impact. The Club agreed to establish a planning committee consisting of community, City and County representatives to address future issues, and if needed, to limit the number of runners to a manageable number. Mr. Marrinan said that because of the City's long-term satisfactory working relationship with MCRRC and their good faith efforts to correct earlier defects in the plan, he felt that the Club should be allowed to demonstrate their ability to manage such an event and show that it will have a positive, economic benefit for the City. Mr. Marrinan moved that the race be allowed to proceed this year, without the City's endorsement, with the conditions that the Club conduct an evaluation to assess the real impact of the race and that there is an effort to put together a planning committee to look at the future impact on Rockville Pike of an expanded run.

Councilmember Harrison said that he contacted Monsignor Kostick at St. Mary's Church, who continued to oppose the race, as it impacted both the 7:45 a.m. Mass and those arriving for the 9:00 a.m. Mass; however, he did recognize there was a potential benefit to the City.

Mayor Krasnow mentioned that she spoke with Councilmember Wright

about the issue; he felt that the new proposal presented was substantially different. Mr. Wright visited a number of Rockville Pike businesses and spoke to several persons who were not aware of the race; however, he did feel that if the race started at 8 a.m., it will most likely be over before 10 a.m. when most businesses opened.

Mayor Krasnow said she was impressed with the Club's good faith effort to address the concerns. As a former member of the Road Runners Club, the Mayor said that she supported the athletic aims of the Club, however, the Mayor and Council had some major safety concerns and were fully aware that the race would inconvenience citizens. Also, it was not shown what benefit the race would have to the community. Ms. Krasnow said that the Club decided to make changes regarding the time of the race, to address the safety concerns, to include the name "Rockville" in the race so that the community would get some recognition, and to implement a greater notification process. However, she said that her main concern was that Rockville Pike is a unique road with no parallel roads, and it would still be difficult for east-west traffic to get around that day causing some concern about the gridlock. Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the decision was made to allow the race so that the City could issue a permit, but to not actually endorse the race.

2. Wootton High School Stabbing Incident - Councilmember Marrinan expressed a concern about a non-fatal stabbing at the high school involving some individuals enrolled in an evening educational program. He said that the evening school programs often did not have security guards present and that many regular schools participated in evening programs. He said that as an interim security measure, extra



security guards were assigned to the school in the evening and he suggested that the Mayor and Council go on record with Montgomery County Public Schools, asking that security guards always be present when evening programs are allowed at all schools in Rockville and throughout Montgomery County.

3. Transco Clearing Operation - Mayor Krasnow said that lately, she had received much feedback from residents about the clear cut operation; the area cleared was startling to look at and the impact of the operation is just beginning to be realized. Ms. Krasnow suggested that this might be due to the fact that replacement plantings have not yet taken place. Director of Recreation and Parks Burt Hall presented background and gave an update on the clear cut operations and said that Transco planned to complete the bulk of the clearing operation in June/July. Some property owners requested that the clearing be completed immediately and this has taken place. Mr. Hall said that the City will continue to keep citizens informed and will closely monitor the operations, and he encouraged any citizens with questions to contact him directly.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:34 p.m., to reconvene in Worksession on March 4, 1996 at 7:30 p.m.